REMARKS

Applicants have cancelled claims 1 and 2 and amended claim 3 to appear in independent form. Claim 8 has been amended to depend from claim 3 in view of the cancellation of claim 1. No new matter has been added, and no new issues have been raised. Applicants respectfully request entry of this amendment.

Applicants note that the amendment filed July 29, 2005 did not include claim amendments that change claim scope and that the Examiner relies on a newly cited reference to reject the claims in this Action. Accordingly, applicants respectfully request that the Examiner withdraw the finality of this Action.

Claims 1-8 have been rejected under 35 USC 103(e) as anticipated by U.S. Patent No. 6,360,687 (Yanagisawa). Applicants respectfully traverse this rejection.

Claim 3 states that the silicon oxide film is removed by moving the nozzle for applying the flow of the activated species gas and that the exposed silicon is etched by moving the nozzle for applying the flow of the activated species gas. In other words, the same nozzle is used both to remove the silicon oxide film and to etch the exposed silicon. The Examiner contends that Yanagisawa discloses the claimed method at column 1, line 65 - column 2, line 20. Applicants respectfully disagree.

The cited passage of Yanagisawa states that an oxide film of a wafer is first removed by a removing device, the wafer is then taken out of the removing device and transported to a local etching apparatus, which is a device separate from the removing device, and the wafer from which the silicon oxide film is removed is etched by the local etching apparatus. Accordingly, Yanagisawa's method cannot perform the removal of the silicon oxide film and the etching of the silicon wafer using the same nozzle as claimed, because the two process steps take place in two different devices.

Furthermore, claim 4 states that the removal of the silicon oxide film and the etching of the exposed silicon are carried out in a vacuum chamber without breaking the vacuum of the chamber. The Examiner contends that Yanagisawa discloses the claimed processing in a single

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vacuum chamber at column 13, lines 60-67, which describes Yanagisawa's second embodiment. Applicants respectfully disagree.

The whole apparatus used in Yanagisawa's second embodiment is shown in FIG. 9. The removing device 5, in which the oxide film of silicon wafer W is removed, has vacuum chamber 55 that is evacuated by vacuum pump 55a. The local etching apparatus 2, in which the silicon wafer W is etched, has vacuum chamber 25 that is evacuated by vacuum pump 25a. See, for example, column 12, lines 54-56, and FIGS. 3 and 10 of Yanagisawa. Thus, Yanagisawa's removing step and etching step are carried out in two separate chambers 55 and 25 and not in a single chamber as claimed. Furthermore, when transfer robot 4 takes Yanagisawa's wafer W out of the vacuum chamber 55 of the removing device 5 for transportation to the local etching apparatus 2, the vacuum of the vacuum chamber 55 maintained by the vacuum pump 55a is broken, contrary to the claim language.

The rejection of claims 3-8 under 35 USC 103(e) on Yanagisawa should be withdrawn because Yanagisawa does not teach or suggest the claimed method for flattening a wafer.

In light of the above, a Notice of Allowance is solicited.

In the event that the transmittal letter is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief is required, applicants petition
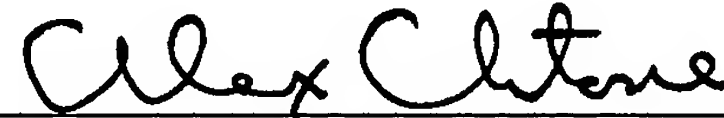
for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952**, referencing Docket No. **506212001100**.

Respectfully submitted,

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